

**RESOLUTION NO. R03-**

**A RESOLUTION OF THE LEON COUNTY BOARD OF COUNTY COMMISSIONERS;  
ESTABLISHING IT'S SUPPORT FOR THE CONTINUED INCLUSION OF A LOCAL  
SOURCES FIRST POLICY IN CHAPTER 373, FLORIDA STATUTES; OPPOSING  
ANY AMENDMENT TO FLORIDA'S WATER RESOURCE POLICY WHICH  
ALLOWS, ENCOURAGES OR PROMOTES WATER TRANSFERS; PROVIDING FOR  
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida's water resources are a natural resource and not a commodity to be sold or transferred to the highest bidder; and

**WHEREAS**, the Board of County Commissioners has been staunch supporters of a State local sources first policy within Florida Statutes; and

**WHEREAS**, the Board of County Commissioners affirms that the continued retention of this policy is integral to protecting Florida's water resources and the development of long-term sustainable use without adversely impacting our unique natural resources; and

**WHEREAS**, the Board of County Commissioners unanimously agrees with the Florida Association of Counties' support of the fundamental principles of Florida water law which requires a showing that a proposed use of water is a reasonable, beneficial use, will not interfere with an existing legal use of water, and is consistent with the public interest; and

**WHEREAS**, the Board of County Commissioners supports the Florida Association of Counties' opposition to legislation that shifts water supply allocation from a publicly regulated process to a market driven process; and

**WHEREAS**, the Board of County Commissioners supports the Florida Association of Counties' opposition to legislation that undermines the fundamental principles of Florida Water Law which establishes a right-of-use - not a right-of-ownership; and

**WHEREAS**, the Board of County Commissioners has recently seen documentation which indicates the Florida Council of 100 will request repeal or modification to Chapter 373, Florida Statutes, to eliminate the local-sources-first language; and

**WHEREAS**, the Board of County Commissioners wishes to go on record early and unequivocally that such a proposal is ill considered and will put Florida's surface waters and aquifers at risk of irreparable damage for irresponsible short-term gain by limited special interest groups, and

**WHEREAS**, the Board of County Commissioners believes that any discussion of regional water transfer is premature until Minimum Flows and Levels have been established for all of Florida's water resources.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AS FOLLOWS:**

- Section 1. The County Commission hereby adopts each of the findings of fact as set forth above.
- Section 2. The County Commission actively opposes any modification to Chapter 373, Florida Statutes, as it relates to the current local sources first policy.
- Section 3. The County Commission encourages all local government and elected officials to voice their opposition to their state elected officials, including the Governor, Speaker of the House of Representatives and President of the Senate of Florida, as well as members of the Leon County Legislative Delegation.
- Section 4. If any provision of this Resolution is for any reason finally held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed as a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of this Resolution.
- Section 5. This Resolution shall take effect immediately upon its adoption.

**DONE, ADOPTED, AND PASSED** by the Board of County Commissioners of Leon County, Florida, this 14th day of October, 2003.

LEON COUNTY, FLORIDA

BY: \_\_\_\_\_  
TONY GRIPPA, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

ATTESTED BY: \_\_\_\_\_  
BOB INZER, CLERK OF THE COURT

BY: \_\_\_\_\_  
CLERK

APPROVED AS TO FORM:

COUNTY ATTORNEY'S OFFICE  
LEON COUNTY, FLORIDA

BY: \_\_\_\_\_  
HERBERT W. A. THIELE, ESQ.  
COUNTY ATTORNEY